UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

Case No. 3:23-md-3071 MDL No. 3071
JURY DEMAND
Judge Waverly D. Crenshaw, Jr.
This Document Relates to: ALL CASES

PLAINTIFFS SELENA VINCIN AND MAYA HAYNES'S UNCONTESTED MOTION TO DISMISS THEIR CLAIMS AGAINST DEFENDANT DAYRISE RESIDENTIAL LLC PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs Selena Vincin and Maya Haynes move to dismiss their respective claims against Defendant Dayrise Residential LLC ("Dayrise") with prejudice. The bases for this uncontested Motion are as follows:

- 1. On December 19, 2022, Ms. Vincin filed a complaint alleging violations of federal and state antitrust law against numerous defendants, including Dayrise. *See Vincin v. RealPage, Inc.*, Case No. 1:22-cv-01329 (W.D Tex.) (the "Vincin Action").
- 2. On August 25, 2023, Ms. Haynes filed a complaint alleging violations of federal and state antitrust law against numerous defendants, including Dayrise. *See Haynes v. RealPage, Inc.*, Case No. 1:23-cv-03813 (N.D. Ga.) (the "Haynes Action").
- 3. The Vincin and Haynes Actions were subsequently transferred to and consolidated with MDL No. 3071 (*In re RealPage Rental Software Antitrust Litigation No. II*) in the Middle District of Tennessee and restyled as 3:23-cv-00410 and 3:23-cv-00979 (M.D. Tenn.).
 - 4. Since transfer and consolidation, Ms. Vincin and Ms. Haynes have resolved, on a

non-class basis, their respective personal claims against Dayrise and seek an Order from the Court in the form attached dismissing their respective claims against Dayrise with prejudice.

5. This dismissal applies only to Ms. Vincin's and Ms. Haynes's respective personal

claims against Defendant Dayrise. Their claims against all other Defendants in the above-

captioned matter remain pending and are unaffected. Their dismissal of claims against Defendant

Dayrise does not affect any claims held by other Plaintiffs in the above-captioned MDL.

6. Pursuant to Local Rule 7.01, counsel for Ms. Vincin, Ms. Haynes and Dayrise have

conferred and Dayrise consents to this motion. Via email to Defendants' liaison counsel, counsel

for Ms. Vincin and Ms. Haynes have twice sought the other Defendants' position on this Motion,

but they have not provided a response.

Dated: September 20, 2024

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld (#26014)

Anthony A. Orlandi (#33988)

HERZFELD SUETHOLZ GASTEL LENISKI AND WALL, PLLC

223 Rosa L. Parks Avenue, Suite 300

Nashville, TN 37203

Telephone: (615) 800-6225

tricia@hsglawgroup.com

tony@hsglawgroup.com

Liaison Counsel

Patrick J. Coughlin

Carmen A. Medici

Fatima Brizuela

SCOTT+SCOTT ATTORNEYS AT LAW LLP

600 West Broadway, Suite 3300

San Diego, CA 92101

Telephone: (619) 798-5325

Facsimile: (619) 233-0508

pcoughlin@scott-scott.com

cmedici@scott-scott.com

a i 1 0

fbrizuela@scott-scott.com

Patrick McGahan Amanda F. Lawrence Michael Srodoski G. Dustin Foster Isabella De Lisi

SCOTT+SCOTT ATTORNEYS AT LAW LLP

156 South Main Street

P.O. Box 192

Colchester, CT 06145

Telephone: (860) 537-5537 Facsimile: (860) 537-4432 pmcgahan@scott-scott.com alawrence@scott-scott.com msrodoski@scott-scott.com gfoster@scott-scott.com idelisi@scott-scott.com

Matthew J. Perez

SCOTT+SCOTT ATTORNEYS AT LAW LLP

230 Park Ave., 17th Floor New York, NY 10169 Telephone: (212) 223-6444 matt.perez@scott-scott.com

Stacey Slaughter
Thomas J. Undlin
Geoffrey H. Kozen
Navy A. Thompson
J. Austin Hurt
Caitlin E. Keiper

ROBINS KAPLAN LLP

800 LaSalle Avenue, Suite 2800 Minneapolis, MN 55402 Telephone: (612) 349-8500 Facsimile: (612) 339-4181 sslaughter@robinskaplan.com tundlin@robinskaplan.com gkozen@robinskaplan.com nthompson@robinskaplan.com ahurt@robinskaplan.com ckeiper@robinskaplan.com

Swathi Bojedla Mandy Boltax

HAUSFELD LLP

Gary I. Smith, Jr.

888 16th Street, N.W., Suite 300 Washington, DC 20006 Telephone: (202) 540-7200 sbojedla@hausfeld.com mboltax@hausfeld.com

Joey Bui
HAUSFELD LLP
600 Montgomery Street, Suite 3200
San Francisco, CA 94111
Tel: (415) 633-1908
gsmith@hausfeld.com

Katie R. Beran HAUSFELD LLP

jbui@hausfeld.com

325 Chestnut Street, Suite 900 Philadelphia, PA 19106 Telephone: 1 215 985 3270 kberan@hausfeld.com

Interim Co-Lead Counsel

Eric L. Cramer Michaela L. Wallin BERGER MONTAGUE PC

1818 Market Street, Suite 3600 Philadelphia, PA 19103 Telephone: (215) 875-3000 ecramer@bm.net

ecramer@bm.net mwallin@bm.net

Daniel J. Walker

BERGER MONTAGUE PC

1001 G. Street, NW Suite 400 East Washington, DC 20001 Telephone: (202) 559-9745 dwalker@bm.net

Brendan P. Glackin Dean M. Harvey

Christian P. Levis
Vincent Briganti
Peter Demato
Radhika Gupta
LOWEY DANNENBERG, P.C.
44 South Broadway, Suite 1100
White Plains, NY 10601

Telephone: (914) 997-0500 Facsimile: (914) 997-0035 vbriganti@lowey.com clevis@lowey.com pdemato@lowey.com rgupta@lowey.com

Christopher M. Burke Walter W. Noss Yifan (Kate) Lv **KOREIN TILLERY P.C.** 707 Broadway, Suite 1410

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Jules A. Ross

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

275 Battery Street, Suite 2900 San Francisco, CA 94111 Telephone: 415-956-1000 bglackin@lchb.com dharvey@lchb.com jross@lchb.com

Mark P. Chalos Hannah R. Lazarz Kenneth S. Byrd

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

222 2nd Avenue South, Ste. 1640 Nashville, TN 37201 (615) 313-9000 mchalos@lchb.com hlazarz@lchb.com kbyrd@lchb.com

Benjamin J. Widlanski Javier A. Lopez Robert J. Neary

KOZYAK TROPIN & THROCKMORTON LLP

2525 Ponce de Leon Blvd., 9th Floor Coral Gables, Florida 33134 Telephone: (305) 372-1800 bwidlanski@kttlaw.com jal@kttlaw.com rn@kttlaw.com San Diego, CA 92101 Telephone: (619) 625-5621 Facsimile (314) 241-3525 cburke@koreintillery.com wnoss@koreintillery.com klv@koreintillery.com

Joseph R. Saveri

Cadio Zirpoli

Kevin E. Rayhill

JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1505
San Francisco, CA 94108
Telephone: (415) 500-6800
jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
krayhill@saverilawfirm.com

Jennifer W. Sprengel Daniel O. Herrera Alexander Sweatman Nyran Rose Rasche

CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP

135 S. LaSalle, Suite 3210 Chicago, IL 60603

Telephone: 312-782-4880 Facsimile: 312-782-4485 jsprengel@caffertyclobes.com dherrera@caffertyclobes.com asweatman@caffertyclobes.com nrasche@caffertyclobes.com

Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld
Tricia R. Herzfeld